

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

Matthias Kline, as Personal Representative
of the Estate of Leroy Kline,

Plaintiff,

vs.

Enmark Stations, Inc.,

Defendant.

C.A. No: 9:22-cv-03033-RMG

NOTICE OF REMOVAL

Defendant Enmark Stations, Inc., (“ENMARK”), through its counsel Kelsey J. Brudvig and Claude T. Prevost of Collins & Lacy, P.C., files this Notice of Removal in the above-captioned case to the United States District Court for the District of South Carolina, Beaufort Division pursuant to 28 U.S.C. §§ 1332, 1441, and 1446.

Defendant would respectfully show unto this Honorable Court:

1. The above-entitled action was brought in the Beaufort County Court of Common Pleas by Plaintiff to recover from Defendant a judgment for actual and punitive damages for injuries that could be characterized as substantial, together with the cost and fees of this action. By virtue of these allegations, Defendant avers the jurisdictional threshold has been satisfied.
2. Plaintiff’s Complaint is silent as to the amount in controversy. Defendant has requested Plaintiff stipulate to damages of less than \$75,000.00; however, Plaintiff has not agreed to the same. Based upon this information, Defendant submits there is sufficient evidence that the amount in controversy exceeds the jurisdictional threshold for removal.
3. This action was commenced by the service of a Summons and Complaint against Defendant, which was received by Defendant’s agent via Certified Mail on August 9, 2022.

Plaintiff amended his Complaint on September 7, 2022, naming Enmark Stations, Inc. as a defendant in the place of Colonial Group, Inc, and served the same on September 8, 2022. Based on the date of service of the original Summons and Complaint, the deadline to remove this matter is September 8, 2022.

4. Defendant ENMARK is a foreign corporation. Defendant's state of incorporation is Georgia. Defendant's principal place of business is Georgia. Specifically, Defendant's corporate headquarters are located in Savannah, Georgia.
5. Defendant files herewith copies of all process, pleadings, and order served upon them in this action as part of this notice.
6. Defendant will file a copy of this Notice of Removal with the Clerk of Court for Beaufort County, South Carolina, and will serve a copy upon counsel for Plaintiff.

WHEREFORE, Defendant ENMARK prays this Honorable Court accept this Notice of Removal that is being filed and that this Honorable Court take jurisdiction of the above-entitled case and all further proceedings in said cause in the Court of Common Pleas, County of Beaufort, State of South Carolina be stayed.

[SIGNATURE PAGE TO FOLLOW]

Respectfully submitted,
COLLINS & LACY, P.C.

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ATTORNEYS FOR DEFENDANT
ENMARK STATIONS, INC.

NOTICE OF REMOVAL

Columbia, South Carolina
September 8, 2022